

RECEIVED  
CENTRAL FAX CENTER  
NOV 13 2008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 10/525,092 Confirmation No. 3275  
Applicant : Toshiaki KIMURA et al.  
Filed : February 23, 2005  
TC/A.U. : 1796  
Examiner : Alicia Toscano  
Dkt. No. : OGA-013  
Cust. No. : 20374

I hereby certify that this paper is being  
facsimile transmitted on November 13, 2008,  
to the United States Patent and Trademark  
Office to facsimile number (571)273-8300.

  
Ronald J. Kubovcik

NOTICE OF APPEAL

11/14/2008 JVONG1 00000020 10525092

02 FC:1401

540.00 OP

Mail Stop AF  
To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 13, 2008

Sir:

Applicants hereby appeal to the Board of Patent Appeals and  
Interferences from the decision dated May 15, 2008, of the Primary  
Examiner finally rejecting claims 1 and 5-31.

The items checked below are appropriate:

1. XX A petition for an extension of time to respond to the

P:\11-08\oga-013-pto-noa-eot wpd

RECEIVED  
CENTRAL FAX CENTER

NOV 13 2008

U.S. Patent Appln. S.N. 10/525,092  
NOTICE OF APPEAL

PATENT

final rejection is being filed on November 13, 2008, for the third month.

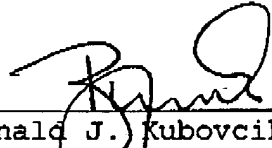
2. XX A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.

3. XX Fee \$ 540.00 or      Small Entity \$270.00

XX Enclosed (as part of PTO-2038 for \$1,160.00)

     Not required (fee paid in prior appeal)

In the event this paper is not considered to be timely filed, applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 111833, along with any other additional fees which may be required with respect to this paper.

  
\_\_\_\_\_  
Ronald J. Kubovcik  
Reg. No. 25,401

KUBOVCIK & KUBOVCIK  
Crystal Gateway 3  
Suite 1105  
1215 South Clark Street  
Arlington, VA 22202  
Tel: (703) 412-9494  
Fax: (703) 412-9345